

REMARKS

With this Response, Applicants respectfully request that claims 2, 15, 26, and 31 be canceled without prejudice. Additionally, claims 1, 3, 7, 13, 16, 24, 27, and 29 are amended, and Applicants present claim 33 herein for consideration. Therefore, claims 1, 3-14, 16-25, 27-30, and 32-33 are pending.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-7, 13-17, and 24-31

Claims 1-7, 13-17, and 24-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2004/0019662 of Viswanath (hereinafter "Viswanath") in view of U.S. Patent No. 6,664,978 of Kekic et al. (hereinafter "Kekic"). Applicants submit that these claims are not rendered obvious by the cited references for at least the following reasons.

Of these claims, 1, 13, 24, and 28 are independent claims. Each of these claims recites limitations directed to a monitor tree for a JMA monitoring system, where the monitor tree has a monitor managed beans and a runtime managed bean, and a visual administrator that provides a graphical user interface to the monitoring system via a monitor service.

Viswanath discusses an administration system for servers. Viswanath appears to disclose a hierarchy of elements of configuration data (see paragraph [0025]), where the elements represent components of the system or attributes/properties of the components (see paragraphs [0049], [0063], [0064]). Viswanath fails to disclose or suggest a JMA monitoring system with a monitor tree having a hierarchy of nodes with a monitor managed bean and runtime managed bean. The discussion of MBeans in Viswanath fails to expressly or inherently disclose nodes in a monitor tree that have a monitor bean associated with a runtime bean. Thus, the cited reference fails to explicitly or inherently disclose at least one limitation of Applicants' independent claims.

Kekic fails to cure the deficiencies of Viswanath. The combination of Kekic and Viswanath is improper. Kekic discloses an SNMP monitoring system. As expressly stated in the reference itself, "SNMP defines the protocols and message formats which are used to communicate between the management application and the computer network element." The use of SNMP, again as disclosed by Kekic, involves providing an SNMP agent at the monitored element. The use of SNMP and SNMP agents at an application server instance of a cluster does

not make sense. Viswanath describes the use of MBeans to read and apply configuration to the application servers of the system. The use of SNMP would require a developer to completely redesign the system to use SNMP and SNMP agents instead of the MBeans. Thus, combination of the references would significantly change the principal of operation of one or both of the references, contrary to MPEP § 2143.01(VI).

Assuming solely for the sake of argument that Viswanath and Kekic could be combined, which Applicants maintain is improper, the combination of the references still fails to disclose or suggest at least the claim element discussed above. Kekic fails to disclose or suggest a JMA monitoring system or a monitor tree of hierarchical nodes of that monitoring system. Much less does Kekic disclose or suggest a monitor tree having a hierarchy of nodes with a monitor managed bean and runtime managed bean.

Thus, whether alone or in combination, Viswanath and Kekic fail to disclose or suggest at least one element of the independent claims. The dependent claims include all limitations of the independent claims from which they depend. Thus, the remaining claims, being dependent claims, likewise recite at least one limitation not disclosed or suggested by the cited references. Therefore, these claims are not rendered obvious by the cited references, and Applicants respectfully request that the rejection of these claims be withdrawn.

Claims 8-12, 18-23 and 32

Claims 8-12, 18-23 and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Viswanath and Kekic in view of U.S. Patent Publication No. 2003/0177477 of Fuchs (hereinafter "Fuchs"). These claims are not rendered obvious by the cited references. Fuchs is cited as disclosing various tabs and other features. However, Fuchs does not cure the deficiencies of Viswanath and Kekic. Whether alone or in combination, the cited references fail to disclose or suggest at least one limitation of the claims as set forth above, and so fail to render obvious the invention as recited in Applicants' claims. Therefore, Applicants respectfully request that the rejection of these claims be withdrawn.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections are overcome, and respectfully requests that the rejections be withdrawn. Therefore, all pending claims are in condition for allowance, and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

Date: February 10, 2009

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